

REMARKS

In the Official Action mailed on **24 January 2007**, the Examiner reviewed claims 1-33. Claims 1-33 were objected to under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kindberg et al (*A Web-Based Nomadic Computing System*, hereinafter “Kindberg”) in further view of UPnP Forum (*UPnP Device Architecture*, hereinafter “UPnP”), and further in view of Waldo (“The JINI Architecture for Network-Centric Computing” hereinafter “Waldo”) and Yan et al (U.S. Patent 6,003,065, hereinafter “Yan”).

Rejections under 35 U.S.C. §112

Claims 1-33 were objected to under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant has amended independent claims 1, 12, and 23 to clarify that the communication protocol recited in these claims is distinct from the discovery protocols as described in paragraph [0051] of the instant application. These amendments find support in paragraphs [0025] and [0032] of the instant application. No new matter has been added.

Hence, Applicant respectfully submits that claims 1-33 are in compliance with 35 U.S.C. §112.

Rejections under 35 U.S.C. § 103(a)

Independent claims 1, 12, and 23, were rejected as being unpatentable over Kindberg in further view of UPnP, and in further view of Waldo and Yan. Applicant respectfully points out that, with UPnP, each device is required to support a common communication protocol with other devices that the device wishes to communicate with. As previously discussed, UPnP discloses the use of

textual interface descriptions to facilitate initialization as well as discovery of common communication protocols among the devices.

Applicant further points out that Waldo discloses a universal interface comprising both executable code and data. However, according to Waldo, two devices must be both running Java, and have a clearly established communication session to exchange codes. In addition, Waldo requires sharing of Java code to allow a second client to replicate the functionality of a first client via code mobility.

In contrast to the above references, embodiments of the present invention facilitate establishing a connection between two devices in situations where the two devices do not share a common programming language, communication protocol, or an established communication session. For example, the first device can be a printer operating in a UNIX environment and using a line-based communication medium, and the second client can be a computer using the Microsoft Windows operating environment, using a line-based communication medium, and a different communication protocol than that of the first client. See paragraph [0032] of the instant application.

Applicant acknowledges that sharing code in an environment where the devices have both an established communication channel and a common computing environment is possible. However, in the case where the devices do not have an established communication channel, and do not share a standard communication protocol, such a solution is not obvious. Furthermore, such a connection is not apparent in any combination of the teachings of Kindberg, UPnP, Waldo, and Yan.

Hence, Applicant respectfully submits that independent claims 1, 12, and 23, as presently amended are in condition for allowance. Applicant also submits that claims 2-11, which depend upon claim 1, claims 13-22, which depend upon claim 12, and claims 24-33, which depend upon claim 23, are in condition for

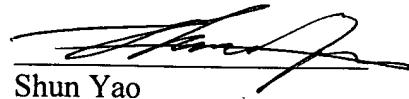
allowance for the same reasons and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



Shun Yao
Registration No. 59,242

Date: 21 March 2007

Shun Yao
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95616-7759
Tel: (530) 759-1667
FAX: (530) 759-1665
Email: shun@parklegal.com